

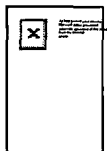
293210

Wessinger-Hill, JoAnne

From: Dori Jaffe <dori.jaffe@sierraclub.org>
Sent: Friday, August 7, 2020 4:27 PM
To: Wessinger-Hill, JoAnne
Cc: KENNETH BURGESS; Nelson, Jeff; Grube-Lybarker, Carri; Bateman, Andrew; Edwards, Nanette; Jamey Goldin google; Weston Adams; J. Blanding Holman; Belton T. Zeigler; court.walsh@nelsonmullins.com; Stark, David; Butler, David; matthew.gissendanner@dominionenergy.com; richard@rlwhitt.law; bguild@mindspring.com; klee@selcsc.org
Subject: [External] Re: Docket. No. 2019-226-E -- South Carolina Energy Freedom Act (House Bill 3659) Proceeding Related to S.C. Code Ann. Section 58-37-40 and Integrated Resource Plans for Dominion Energy South Carolina, Incorporated [IWOV-SEWS.FID102...
Attachments: Sierra ClubResponse to DESC Extension REquest.pdf

Thank you for forwarding the email correction to the Clerk's Office. I apologize for not seeing the request regarding the week of October 19th. I do not believe the hearing will take longer than 5 days, however if it does, Sierra Club and its expert are available the week of the 19th.

As I mentioned in my prior response, the Sierra Club has also filed the attached letter in response to DESC's request for an extension to file its rebuttal testimony. Please let me know if you have any questions and have a nice weekend.
dori jaffe



Dori Jaffe
pronouns: she/her
Senior Attorney
50 F Street, NW, Eighth Floor
Washington, DC 20001
202-675-6275 (direct)
202-547-6009 (fax)
dori.jaffe@sierraclub.org

On Fri, Aug 7, 2020 at 3:13 PM Wessinger-Hill, JoAnne <JoAnne.Hill@psc.sc.gov> wrote:

Dear Ms. Jaffe:

Thank you for your comments. The correction to your email on the DMS has been forwarded to the Clerk's Office so that the change can be made and thank you for bringing this to our attention. On behalf of the Commission, please accept our apologies. The Clerk's Office has made the correction.

With regard to availability, it is unclear from your email below if the Sierra Club and its expert witness(es) are available for all or any part of the week of October 19th. If you will please advise.

Thank you for advising regarding availability for week of October 12th thru 16th.

Sincerely,

Jo Anne Wessinger Hill

Jo Anne Wessinger Hill

C. Jo Anne Wessinger Hill, Esq.

Legal Counsel to the Commission

Public Service Commission

State of South Carolina

101 Executive Center Drive, Suite 100

Columbia, SC 29210

www.psc.sc.gov

Email: JoAnne.Hill@psc.sc.gov

803-896-5100 (main) | 803-896-5188 (f) | JoAnne.Hill@psc.sc.gov

The information contained in this e-mail message is public and will be filed in the Docketing Management System (DMS) for the corresponding docketed matter. Any responsive e-mail message by you should also be filed by you in the DMS for this matter. **If the reader of this message does not want certain information, which is meant to be discussed only between the parties and not Public Service Commission of South**

Carolina (Commission) staff, please do not use “reply all” to this message. Any e-mail message involving the Commission or Commission staff is also subject to the provisions of Commission Order No. 2019-748 in Docket No. 2019-329-A and shall be published in the docket for this matter. If you have received this communication in error, please immediately notify us by telephone at (803) 896-5100.

From: Dori Jaffe <dori.jaffe@sierraclub.org>

Sent: Friday, August 7, 2020 2:00 PM

To: Bob Guild <bguild@mindspring.com>; Wessinger-Hill, JoAnne <JoAnne.Hill@psc.sc.gov>

Cc: Cc: Richard Whitt <richard@rlwhitt.law>; KENNETH BURGESS <kenneth.burgess@dominionenergy.com>; MATTHEW GISSENDANNER <matthew.gissendanner@dominionenergy.com>; Nelson, Jeff <jnelson@ors.sc.gov>; Grube-Lybarker, Carri <clybarker@scconsumer.gov>; Bateman, Andrew <abateman@ors.sc.gov>; Edwards, Nanette <nedwards@ors.sc.gov>; Jamey Goldin google <jameygoldin@google.com>; Weston Adams <weston.adams@nelsonmullins.com>; J. Blanding Holman <bholman@selcsc.org>; Belton T. Zeigler <belton.zeigler@wbd-us.com>; Kate Lee <klee@selcsc.org>; court.walsh@nelsonmullins.com; Stark, David <david.stark@psc.sc.gov>; Butler, David <David.Butler@psc.sc.gov>

Subject: [External] Re: Docket. No. 2019-226-E -- South Carolina Energy Freedom Act (House Bill 3659) Proceeding Related to S.C. Code Ann. Section 58-37-40 and Integrated Resource Plans for Dominion Energy South Carolina, Incorporated [IWOV-SEWS.FID102...

Good Afternoon Ms. Wessinger-Hill:

On behalf of the Sierra Club I am responding to your request regarding the parties availability to hold the week of October 12th as an alternate hearing date for the DESC IRP hearing. I noticed in your email, which was forwarded to me by Bob Guild, that my email address is spelled incorrectly (the "a" was left off of Sierra), therefore I am not receiving any of the correspondence between the parties. If you could please correct my email address to: dori.jaffe@sierraclub.org I would greatly appreciate it (it is also incorrect on the docket email list).

With respect to the alternative hearing dates, the Sierra Club and its expert witness are available the week of October 12th but we echo the concerns raised by the other parties of (1) not having a date certain for the IRP hearing, which is essential in preparing for the hearing; and (2) the shortened

time-frame to prepare for the hearing if DESC's request for a 2 week extension is granted. At this point, we do not know the breadth or scope of the revisions DESC will make to the IRP, so it is impossible to gauge the impacts that will have on not only preparing our sur-rebuttal testimony but also preparing for the hearing. If the hearing were to be held on September 21 (just 3 days after our sur-rebuttal testimony is due) the parties will not only be at a disadvantage, but questions that might have been answered through discovery, will likely have to be done on cross-examination due to the limited time to conduct discovery between the filing of DESC's rebuttal and our sur-rebuttal. This could make the hearing less efficient and take longer than if we had time to adequately prepare. Therefore, we request that the Commission set a date certain for the hearing as soon as possible so all parties can plan accordingly.

The Sierra Club also plans to file a letter today expressing our concerns with DESC's proposed extension request and how that impacts the scheduling of the hearing.

Regards

Dori Jaffe



Dori Jaffe

pronouns: she/her

Senior Attorney

50 F Street, NW, Eighth Floor

Washington, DC 20001

202-675-6275 (direct)

202-547-6009 (fax)

dori.jaffe@sierraclub.org

On Fri, Aug 7, 2020 at 1:26 PM Bob Guild <bguild@mindspring.com> wrote:

Sent from my iPhone

Begin forwarded message:

From: Carrie Schurg <carrie@rlwhitt.law>

Date: August 7, 2020 at 11:45:40 AM EDT

To: "joanne.hill@psc.sc.gov" <joanne.hill@psc.sc.gov>

Cc: Richard Whitt <richard@rlwhitt.law>, KENNETH BURGESS

<kenneth.burgess@dominionenergy.com>, MATTHEW GISSENDANNER

<matthew.gissendanner@dominionenergy.com>, "jnelson@ors.sc.gov" <jnelson@ors.sc.gov>, Carri

Grube-Lybarker <clybarker@scconsumer.gov>, "Bateman, Andrew" <abateman@ors.sc.gov>,"

"Edwards, Nanette" <nedwards@ors.sc.gov>, "jameygoldin@google.com"

<jameygoldin@google.com>, Weston Adams <weston.adams@nelsonmullins.com>, "J. Blanding

Holman" <bholman@selcsc.org>, "Belton T. Zeigler" <belton.zeigler@wbd-us.com>,"

"bguild@mindspring.com" <bguild@mindspring.com>, Kate Lee <klee@selcsc.org>,"

"court.walsh@nelsonmullins.com" <court.walsh@nelsonmullins.com>, "dori.jaffe@sierrclub.org"

<dori.jaffe@sierrclub.org>, "david.stark@psc.sc.gov" <david.stark@psc.sc.gov>,"Butler, David"

<David.Butler@psc.sc.gov>

Subject: Docket. No. 2019-226-E -- South Carolina Energy Freedom Act (House Bill 3659) Proceeding Related to S.C. Code Ann. Section 58-37-40 and Integrated Resource Plans for Dominion Energy South Carolina, Incorporated [IWOV-SEWS.FID102...

This email was dictated by Richard Whitt:

Ms. Wessinger-Hill:

1. I am writing to you on behalf of the South Carolina Solar Business Alliance, Inc. ("SCSBA") and this email is responsive to your email regarding availability for the DESC IRP Hearing.
2. I would like to call your attention to the impact of DESC's requested testimony extension, which moves the parties surrebuttal to 9/18, and could necessitate a further extension, depending on the scope and scale of DESC's IRP revisions that they intend to file as part of their rebuttal testimony.
3. This makes the week of 9/21 unworkable and SCSBA suggests a date of 10/19, at the earliest, to be preferable.
4. Finally, we reiterate DESC, CCL and SACE's counsel's recommendation that the Commission set a date certain for the Hearing, as soon as possible. It may prove unworkable to have our expert witness hold his schedule open for two different time periods.

Respectfully Submitted,

Richard Whitt,

As Counsel for SCSBA.

From: Wessinger-Hill, JoAnne
 [mailto:JoAnne.Hill@psc.sc.gov]
Sent: Tuesday, August 04, 2020 4:52 PM
To: Kenneth.burgess@dominionenergy.com;
matthew.gissendanner@dominionenergy.com;
 Nelson, Jeff; Grube-Lybarker, Carri; Bateman,
 Andrew; Edwards, Nanette; richard@rlwhitt.law;
 Jamey Goldin google; Weston Adams; Blan
 Holman; Belton T. Zeigler;
bguild@mindspring.com; Kate Lee;
court.walsh@nelsonmullins.com;
dori.jaffe@sierrclub.org;
Kenneth.burgess@dominionenergy.com;
matthew.gissendanner@dominionenergy.com;
 Nelson, Jeff; Grube-Lybarker, Carri; Bateman,
 Andrew; Edwards, Nanette; richard@rlwhitt.law;
 Jamey Goldin google; Weston Adams; Blan
 Holman; Belton T. Zeigler;
bguild@mindspring.com; Kate Lee;
court.walsh@nelsonmullins.com;
dori.jaffe@sierrclub.org
Cc: Stark, David; Butler, David; Wessinger-Hill,
 JoAnne
Subject: RE: Docket No. 2019-226-E -- South
 Carolina Energy Freedom Act (House Bill 3659)
 Proceeding Related to S.C. Code Ann. Section 58-
 37-40 and Integrated Resource Plans for Dominion
 Energy South Carolina, Incorporated

Dear Parties of Record:

**Please respond no later than
 Friday, August 7, 2020 regarding
 availability for you and your
 witnesses regarding the week of
 October 12th thru October 16th
 for the hearing in this
 Docket.** The hearing is expected
 to be conducted virtually due to the
 Covid-19 pandemic and related
 health risks. If you believe more
 than five (5) hearing days are

needed, please advise and proceed to provide availability information for the following week (October 19th thru October 23rd). I have checked and no counsel or Commissioner has requested protection for either of those two weeks in October. Currently the week of October 12th thru 16th is set aside for the hearing in this Docket.

Remember to “reply all” when communicating with any Commission staff to avoid any *ex parte* communication; however, communications between parties only and without Commission staff are not *ex parte*.

REMEMBER: However, do not release the currently schedule hearing dates on your calendar (9/21-9/30) as the Commission would like to hear the matter at that time if possible.

With kind regards, I am

Jo Anne Wessinger Hill

Jo Anne Wessinger Hill

C. Jo Anne Wessinger Hill, Esq.
Legal Counsel to the Commission
Public Service Commission
State of South Carolina
101 Executive Center Drive, Suite 100
Columbia, SC 29210
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JoAnne.Hill@psc.sc.gov

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by telephone at (803) 896-5100.

From: Wessinger-Hill, JoAnne
Sent: Tuesday, August 4, 2020 3:58 PM
To: Kenneth.burgess@dominionenergy.com;
matthew.gissendanner@dominionenergy.com;
 Nelson, Jeff <jnelson@ors.sc.gov>; Grube-
 Lybarker, Carri <clybarker@scconsumer.gov>;
 Bateman, Andrew <abateman@ors.sc.gov>;
 Edwards, Nanette <nedwards@ors.sc.gov>;
richard@rlwhitt.law; Jamey Goldin google
 <jameygoldin@google.com>; Weston Adams
 <weston.adams@nelsonmullins.com>; J. Blanding
 Holman <bholman@selcsc.org>; Belton T. Zeigler
 <belton.zeigler@wbd-us.com>;
bguild@mindspring.com; klee@selcsc.org;
court.walsh@nelsonmullins.com;
dori.jaffe@sierrclub.org
Cc: Stark, David <david.stark@psc.sc.gov>; Butler,
 David <David.Butler@psc.sc.gov>; Wessinger-Hill,
 JoAnne <JoAnne.Hill@psc.sc.gov>
Subject: Docket No. 2019-226-E -- South Carolina
 Energy Freedom Act (House Bill 3659) Proceeding
 Related to S.C. Code Ann. Section 58-37-40 and
 Integrated Resource Plans for Dominion Energy
 South Carolina, Incorporated

Dear Parties of Record:

In regards to the upcoming hearing scheduled in this Docket to begin on Monday, September 21st, at 10:00 a.m., and on behalf of the Commission, I am requesting that an alternate week be set aside in this matter as the South Carolina General Assembly has elections for Public Service Commission Seats 1, 3, 5, and 7 planned for Wednesday, September 23, 2020.

Please check your calendars for the week of October 12th thru October 16th and advise regarding availability of you and your witnesses for the hearing in this docket at that time; however, do not release the currently schedule hearing dates on your calendar (9/21-9/30) as the Commission would like to hear the matter at that time if possible. The September hearing date will be an alternate reserved hearing date should the General Assembly not hold elections for the four referenced seats of the Public Service Commission in accordance with the Sine Die Resolution S.1126 or the State Regulation of the Public utilities Review Committee (PURC).

The Sine Die Resolution provides that the General Assembly will return on September 15th and it is expected to address budget matters first during that week. (i.e., Section (D) of the Resolution states "...the General Assembly shall stand in recess to meet in statewide session on Tuesday, September 15, 2020, at 12:00 noon and continue in statewide session, if necessary, until not later than 5:00 p.m. on Thursday, September 24, 2020...."). If the General Assembly does not hold a Joint Assembly for the election of

judicial offices, college boards, trustees, and public service commissioners as planned, it would be known closer to the time near that of the 15th of September.

It is important to plan that the hearing in this docket will be moved by a couple of weeks to accommodate the change due to commissioner elections; however, due to statutory guidelines and limitations on this matter, the Commission is limited in its options and your accommodation is appreciated. It is expected that this hearing will be moved to October. If the elections are not held in September as planned, the Commission wants to have the option for hearing to proceed as originally planned – which is why you are being asked at this time to continue to hold those September dates until otherwise advised to release them.

No changes in the procedural schedule are being proposed or needed related to this hearing date change. (i.e., prefiled Rebuttal Testimony due on August 14, 2020, or prefiled Surrebuttal Testimony due on September 4, 2020).

Please (1) keep the current hearing date for week of September 21st

reserved until advised to release such hearing date and (2) advise of the availability for the week of October 12th thru October 16th. Remember the hearing in this Docket whether in September or October is expected at this time to be conducted virtually due to the COVID-19 pandemic and related risks.

Thank you for your consideration.

With kind regards, I am

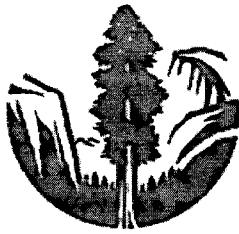
Jo Anne Wessinger Hill

Jo Anne Wessinger Hill

C. Jo Anne Wessinger Hill, Esq.
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SIERRA CLUB

August 7, 2020

Via electronic filing

C. Joanne Wessinger-Hill, Esq.
Hearing Officer
Public Service Commission of South Carolina
101 Executive Center Dr. Suite 100
Columbia, South Carolina 29210

Re: Docket No. 2019-226-E South Carolina Energy Freedom Act (House Bill 3659) Proceeding Related to S.C. Code Ann. Section 58-37-40 and Integrated Resource Plans for Dominion Energy South Carolina, Inc.

Dear Ms. Wessinger-Hill,

On behalf of the Sierra Club, we are writing to express our concerns with the impacts that Dominion Energy South Carolina, Inc. ("DESC") request for a two week extension to file its rebuttal testimony will have on the remaining schedule leading up to the hearing date. While we do not oppose DESC's two week extension, since they are addressing additional scenarios and adjusting certain assumptions that were recommended by ORS and other parties, certain conditions must be put in place to avoid any adverse impacts to the parties.

As currently requested, DESC requests that its rebuttal testimony be due on August 28, 2020 and a similar two-week extension be granted for sur-rebuttal testimony, with a new date of September 18, 2020. In order for the parties to adequately prepare to file sur-rebuttal testimony in response to what could be a massive overhaul of DESC's IRP (since they will be modeling 140 individual planning scenarios), Sierra Club requests that DESC be required to serve all parties with its workpapers and supporting documents related to its updated analysis and rebuttal testimony within one business day of filing its rebuttal testimony, by Monday August 31, 2020, in order to give the parties adequate time to review the materials, determine if additional discovery is required and file its sur-rebuttal testimony by September 18, 2020.

In addition, to the extent that parties need to conduct any additional discovery on DESC's revised IRP and modeling analysis, we request the Commission to shorten the time parties have to respond to discovery from twenty (20) days to seven (7) days under R.103-833 of the South Carolina Code of Regulations. We believe there is good cause to shorten the discovery response time due to the three week difference between the filing of the rebuttal and sur-rebuttal testimony. Shortening the discovery response time will ensure that all parties and the Commission have the information it needs to adequately assess the revised IRP and its analysis.

Lastly, we urge the Commission to set a date certain for the DESC IRP hearing especially in light of DESC's request to extend the rebuttal testimony filing date. If DESC's request is granted, the hearing (as currently scheduled) will take place just three days after the parties have filed sur-rebuttal testimony. Since we do not know the breadth or scope of the revisions DESC will make to the IRP, it is impossible to gauge the impacts that will have on not only preparing our sur-rebuttal testimony but also preparing for the hearing. If the hearing were to be held on September 21, all parties (including DESC who will only have two days to review the sur-rebuttal testimony) will not only be at a disadvantage due to the condensed timeline, but questions that might have been answered through discovery, will likely have to be done on cross-examination due to the limited time to conduct discovery between the filing of DESC's rebuttal and our sur-rebuttal. This could make the hearing less efficient and take longer than if we had adequate time to prepare. Therefore, we request that the Commission allow the parties to release the week of September 21 from our calendars, so the hearing can proceed in October.

We respectfully request that the Commission (1) require DESC to serve the parties with its workpapers and supporting documents for its updated analysis and rebuttal testimony by Monday August 31; (2) shorten the discovery response time to seven days; and (3) set a date certain for the hearing as soon as possible so all parties can plan accordingly.

Thank you for your time and please contact me with any questions.

Sincerely,



Dorothy Jaffe (admitted pro hac vice)

Senior Attorney

Sierra Club

50 F St, NW Eighth Floor

Washington, DC 20001

Telephone: (202) 675-6275

E-Mail: dori.jaffe@sierraclub.org